

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 7, 2008

DIVISION ONE

B195416 Winfred D. (Certified for Publication)
v.
Michellin North America, Inc., et al.

The judgment is reversed, and the case is remanded for a new trial. Plaintiff is entitled to costs on appeal.

Mallano, P.J.

We concur: Rothschild, J.
Neidorf, J. (Assigned)

B189101 Vista Point Properties et al. (Not for Publication)
v.
Arthur Simoneau et al.

The judgment is affirmed. Respondent(s) to recover costs.

Mallano, P.J.

We concur: Rothschild, J.
Neidorf, J. (Assigned)

DIVISION ONE (continued)

B195859 Yahya Eshaghian et al. (Not for Publication)

v.

Law Office of Edelberg & Espina et al.

The judgment is affirmed. Defendants are to recover their ordinary costs on appeal.

Neidorf, J. (Assigned)

We concur: Mallano, P.J.

 Rothschild, J.

B200990 Manouher Naraghi (Not for Publication)

v.

Research and Development Laboratories et al.

The judgment is reversed as to plaintiff's claims for breach of fiduciary duty and conversion, and remanded for further proceedings to permit plaintiff to amend his complaint according to the directions specified in this decision. The judgment is affirmed as to plaintiff's claim for breach of contract. Each side shall bear its own costs on appeal.

Neidorf, J. (Assigned)

We concur: Mallano, P.J.

 Rothschild, J.

DIVISION TWO

B204142 People (Not for Publication)
v.
Ramos

The judgment is modified to reflect 98 days of credit consisting of 66 actual days and 32 local conduct credits and is affirmed as modified. The superior court is directed to amend the abstract of judgment in accordance with this opinion and to forward an amended copy to the Department of Corrections and Rehabilitation.

Boren, P.J.

We concur: Doi Todd, J.
 Chavez, J.

B202387 People (Not for Publication)
v.
Cole

The judgment is modified to provide for 1,169 days of custody credit and is otherwise affirmed. The matter is remanded and the trial court directed to sentence appellant on count 2 and to correct the abstract of judgment to replace the eight-year, concurrent sentence on count 2 with the sentence it imposes on remand. It is further directed to correct the minute orders of September 15 and 18, 2007, to reflect that sentence on count 2 had not been pronounced at that time.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION TWO (continued)

B199113 People (Not for Publication)
v.
Adonis C.

The order of wardship is modified by striking the order setting a one year four month maximum term of confinement. Probation condition 21, stating that appellant is not to use or possess narcotics, controlled substances, poisons, or related paraphernalia and is to stay away from places where users congregate, is stricken from the May 8, 2007 minute order. The juvenile court is directed to correct the minute orders of the disposition hearing accordingly. In all other respects, the order of wardship is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

B194767 Bernard's Bros. Inc., (Not for Publication)
v.
County of Ventura

The judgment is affirmed. Respondent(s) to recover costs.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION TWO (continued)

B202094 Roberts Smith (Not for Publication)

v.
Hunt

The judgment is affirmed. Respondent(s) to recover costs.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

B200107 Harris-Scott (Not for Publication)

v.
Jackson

The judgment is reversed. The case is remanded and the trial court is directed to authorize appellant to proceed with service by publication pursuant to Code of Civil Procedure section 415.50. Respondent to bear all costs on appeal.

Boren, P.J.

We concur: Doi Todd, J.
 Chavez, J.

DIVISION FIVE

B207946 Jennifer R. et al (Not for Publication)

v.

Superior Court, Los Angeles County
(DCFS, r.p.i.)

The petitions are denied. This opinion is final forthwith. (Cal. Rules of Court, rule 8.264(b)(3).)

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

DIVISION SIX

B194933 People (Not for Publication)

v.

Calvin

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

August 7, 2008 (Continued)

DIVISION EIGHT

B197338 People (Not for Publication)
v.
Avila

The sentence on count 2 is reversed and the matter is remanded with directions that the trial court stay the imposition of sentence on that count. In all other respects, the judgment is affirmed.

Rubin, Acting P.J.

We concur: Flier, J.
Bigelow, J.

B194345 Po-Jen Chen et al.,
v.
Interinsurance Exchange of the Automobile Club

Filed order denying the petitions for rehearing.

B208543 People
v.
Peagler

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed May 13, 2008) dismissed.